

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 26285 of 1997

Between:

M/s. Sukhdevrej Sharma & Bros., Rep., by its Partner Sri.Baldev Raj Sharma, S/o.
Doulatram Sharma,
10-3-3-30/1, Nehurnagar East, Secunderabad, 300 026. **PETITIONER**

AND

- 1 Union of India, Military Engineering Services, Dakshin Khaman Mukhalaya
Engineer Shakha,
Head Quarters: Southern Command, Engineering Branch
Pune-411 001.
- 2 Chief Engineer, R & D, Picket,
Secunderabad.5000003.**RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any order, direction, or Writ particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd respondents herein in issuing a letter dated 30.9.97 asking for the return of tender documents, as illegal, arbitrary and void

Counsel for the Petitioner:MR.M.R.HARSHA (not present)

Counsel for the Respondent No.: MR.RAMAKRISHNA RAO SIDDANATHI (SC FOR CG)

The Court made the following order :

THE HON'BLE SRI JUSTICE N.V.RAMANA

W.P.NO. 26285 OF 1997

ORDER:

The present writ petition is filed questioning the action of the respondents in calling upon the petitioner to return the tender documents, without offering rates.

This Court while admitting the writ petition, passed an interim order dated 15-10-1997 directing the respondents to permit the petitioner to participate in Contract No.CERD/BAN/28 of 97-98. In the said order, it was also clarified that the respondents shall be at liberty not to announce the results of the tender if so considered necessary in respect of the tenders that may have been received and opened by the respondents including that of the petitioner.

Learned counsel for petitioner called absent. Learned Standing Counsel for respondents submitted that the cause in the writ petition does not survive and it has become infructuous.

Accordingly, the writ petition is dismissed as infructuous. No costs.

N.V.RAMANA,J

28-3-2005

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

- 1 Union of India, Military Engineering Services, Dakshin Khaman Mukhalaya
Engineer Shakha,
Head Quarters: Southern Command, Engineering Branch
Pune-411 001.
- 2 Chief Engineer, R & D, Picket,
Secunderabad.5000003.
- 3) 2 CD copies
- 4) 1 CC to MR.Koti Reddy Idamakanti

*Form-NIC-OGS/WP{**VEENA**}*